

**LICENSES AND CONSUMER SERVICES
LICENSE INSPECTOR'S REPORT**

License Number: L171-50021 **Police File Number:** 13222

Date of Application: February 8, 2012

Inspector: Michele Harvet, 612-673-5484

Applicant/Legal Entity: Stinson Wine, Beer & Spirits, LLC

DBA/Trade Name: Stinson Wine & Spirits

Complete Address: 2315 18th Avenue Northeast, Minneapolis, MN 55418

License Requested: Off-Sale Liquor

Current License: None

Responsible person within 75 miles of Minneapolis City Hall: Robert Anderson

Public Hearing Requirement: Required

License Conditions: See below

Neighborhood/Ward: Windom Park / 1

Zoning: C2 – This is a permitted use in the Neighborhood Corridor Commercial District with a Conditional Use Permit (CUP). The CUP was approved at the Minneapolis City Planning Commission on December 12, 2011 subject to conditions of approval.

5 acre requirement: Met

Off-Street Parking: The Office of the Zoning Administrator has determined that eight spaces are required to be provided on site. This requirement has been met and exceeded with 55 spaces on site.

Churches or schools within 300 feet of the proposed premises: No

Seating: Inside: Zero Outside: Zero

Fire Occupancy: Inside: tbd Maximum Capacity Outside: N/A

Food Service Requirement: There is no food service requirement for Off-Sale Liquor.

Hours of operation proposed: 9:00am to 9:00pm Monday through Thursday
9:00am to 10:00pm Friday and Saturday

Metropolitan Council Service Availability Charges: It has been determined that there are zero SAC units due.

HISTORY OF LOCATION

This location housed Rosacker's Floral and Gifts since 1998. There has not been an alcohol license there before.

APPLICANT

The applicant is Stinson Wine, Beer & Spirits, LLC, a Minnesota company formed on December 16, 2011, under Chapter 322B (File Number 457195100024), having the required restriction on the transfer of shares and has the following owners:

<u>Name</u>	<u>DOB</u>	<u>Title</u>	<u>Shares</u>
Robert Anderson	7/15/64	General Manager	33.33%
Timothy Berg	12/6/52	Wine Manager	33.33%
Daniel Mays	1/15/79	Beer Manager	33.33%

Mr. Anderson has worked in the alcohol industry since 2007. Mr. Berg has worked in the alcohol and food service industry since 1987. Mr. Mays has worked in the alcohol and food service industry since 2002. They meet all minimum requirements including criminal and financial background checks.

MANAGERS

The general manager at Stinson Wine & Spirits is Robert Anderson. Mr. Anderson has worked in the alcohol industry since 2007 at Grand Pere Wines, Cat & Fiddle Beverage, and presently at North Loop Wine & Spirits.

POLICE REVIEW

Police Licensing and this Inspector have reviewed the expenses and source of funds reported in this application. The applicants have provided documentation showing adequate legal and traceable funding for this venture and have passed criminal background checks. The Second Precinct of the Minneapolis Police Department has discussed security issues with the applicants.

NUMBER OF OFF-SALE LIQUOR LICENSES IN MINNEAPOLIS

Statute 340A.413 Restrictions on number of intoxicating liquor licenses that may be issued. Subd. 5. Off-sale licenses.

No off-sale intoxicating liquor license may be issued in any city, except as provided in this section, in excess of the following limits:

(1) in cities of the first class, not more than one off-sale license for each 5,000 population; and

(2) in all other cities the limit shall be determined by the governing body of the city.

Minneapolis Code of Ordinances 362.40 reflects this requirement. According to the U.S. Census Bureau, the 2010 population for Minneapolis was 382,578. With this population, the

city of Minneapolis could have up to 76 off-sale liquor licenses. Currently, there are 51 off-sale liquor licenses in Minneapolis.

PREMISES

The licensed premises are on the first floor of the establishment. The premises occupy approximately 4083 square feet. The establishment consists of a main area with shelving, a walk-in beer cooler, an office, a storage area and a rest room. The licensed premises space is compact and contiguous. There are no undefined spaces. The store front windows will be kept free of obstructions.

BUSINESS PLAN/OPERATIONS

All staff will receive training through the MLBA to ensure knowledge and enforcement of state and local laws and ordinances. This training will occur upon hiring and on an annual basis thereafter. Any patron that appears intoxicated will not be served and will be politely asked to leave the premises. Staff will make attempts to ensure that such patrons are not operating a motor vehicle. Staff will card all customers that appear under the age of 40 years old. If it is proven that any staff has sold alcohol to a minor, the consequences will be suspension and retraining for the first offense and termination of employment for any offense thereafter. After hours, on-premises consumption of alcoholic beverages by staff will not be allowed.

The hours of operation for the store will be from 9:00am to 9:00pm Monday through Thursday and from 9:00am to 10:00pm on Friday and Saturday.

All litter and trash will be removed from a 100 feet radius of the premises on a daily basis.

Patrons and employees of the store will be reminded to be respectful of neighbors when it comes to noise issues. There will be no external noise or outdoor speakers directly associated with the business. There will be low volume background music inside the store.

There will be no mechanical amusement devices.

Stinson Wine & Spirits plans on being involved in neighborhood and community projects. Projects may include fundraisers, sponsorships of local sports teams, off-site classes, participation in community events and involvement in the local arts community.

No charitable gambling is anticipated.

PUBLIC HEARING SUMMARY

A public hearing is required for this license application. 589 notices were mailed to residents and property owners within 2000 feet of the premises and emailed to the Windom Community Council, the Northeast Park Neighborhood Association and the Northeast Minneapolis Chamber of Commerce on March 9, 2012. The public hearing was held on March 20, 2012 at the Windom Northeast Recreation Center. Seventeen people attended the public hearing. They voiced concerns about signage, landscaping and truck delivery times. They also came prepared with a list of conditions that they wanted the applicant to sign. Fourteen responses to the public hearing notice have been received regarding this application. Thirteen appear to be from neighbors of this proposed business. One is from the Windom Park Citizens in Action group stating that the group voted to support the application. The vote was 71 to 34.

Seven responses are in support. Four are against the application. Two responses support the application with conditions. Concerns from the hearing responses were listed as traffic, litter, loitering and there are enough liquor stores in the vicinity.

RECOMMENDATION

The Licenses and Consumer Services Division recommends approving this application for an Off-Sale Liquor license with conditions.

LICENSE CONDITIONS

1. Stinson Wine & Spirits shall not allow sales of alcoholic beverages in containers of 100 milliliters or less.
2. Stinson Wine & Spirits shall not allow sales of individual containers of alcoholic beverages less than \$3.00.
3. Stinson Wine & Spirits shall not allow sales of alcoholic beverages in growlers, or refilling of growlers.
4. Stinson Wine & Spirits shall not allow sales of 40 ounce beers.
5. Stinson Wine & Spirits shall only be open to the public from 9:00 AM to 9:00 PM, Monday through Thursday, and from 9:00 AM to 10:00 PM Friday and Saturday.
6. Stinson Wine & Spirits shall not allow sales of lottery tickets.
7. Stinson Wine & Spirits will submit a final merchandising plan to Planning Staff for review and approval. No shelving, signage, merchandise, newspaper racks or other mechanisms shall be placed in front of the required ground level transparent windows.
8. Stinson Wine & Spirits shall comply with the specific development standards for a liquor store, off-sale, as defined by Chapter 536.20 of the Zoning Code.
9. Stinson Wine & Spirits shall comply with the window sign provision as stated in Chapter 543.480 of the Zoning Code.